

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 3028 OF 1986****For Approval and Signature:****HONOURABLE MR.JUSTICE R.S.GARG****HONOURABLE MR.JUSTICE M.R. SHAH**

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy
of the judgment ?

4 Whether this case involves a substantial question
of law as to the interpretation of the
Constitution of India, 1950 or any order made
thereunder ?

5 Whether it is to be circulated to the Civil
Judge?

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P. D. LUHAR - Petitioner(s)**Versus****GUJARAT STATE FINANCE CORPORATION & ANR. - Respondent(s)**

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Appearance :

NONE for Petitioner(s).

NONE for Respondent(s) : 1 though Rule served.

MR. R.D. DAVE for Respondent(s) : 2.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG**and****HONOURABLE MR.JUSTICE M.R. SHAH****Date : 14/06/2006****ORAL JUDGMENT****(Per : HONOURABLE MR.JUSTICE R.S.GARG)**

1. By this petition under Article-226 of the
Constitution of India, the petitioner seeks to challenge
the constitutional validity of section-29 of the State

Financial Corporations Act, submitting, *inter alia*, that the provision contained in Section-29 of the Act offends against Article-14 of the Constitution of India.

2. It would be profitable to note that the very same question was raised before this Court in the matter of ***Alka Ceramics Vs. Gujarat State Financial Corporation & Ors.***, reported in ***1990 (1) G.L.R. 628***, equivalent to ***AIR 1990 (Gujarat) 105***. The Division Bench of this Court has upheld the constitutional validity of Section-29 of the State Financial Corporations Act.

3. In view of the earlier judgement and as nothing has been brought to our notice contrary to the judgement, we find no reason to interfere. The petition is dismissed. Rule is discharged. No costs.

[***R.S.Garg, J.***]

[***M. R. Shah, J.***]

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